

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

B.J.S., on behalf of N.S., a child with a disability,

Plaintiff,

v.

ORDER
07-CV-456A

THE STATE EDUCATION DEPARTMENT/
THE UNIVERSITY OF THE STATE OF NEW YORK,
PAUL R. KELLY, STATE REVIEW OFFICER,
RICHARD P. MILLS, COMMISSIONER OF
EDUCATION, AND SPRINGVILLE-GRIFFITH
INSTITUTE CENTRAL SCHOOL DISTRICT
BOARD OF EDUCATION,

Defendants.

The above-referenced case was referred to Magistrate Judge Leslie G. Foschio, pursuant to 28 U.S.C. § 636(b)(1)(B). On April 15, 2013, Magistrate Judge Foschio filed a Report and Recommendation, recommending that defendant School District's motion for summary judgment be granted.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Foschio's Report and Recommendation, defendant School District's motion for summary judgment is granted.

The Clerk of Court shall take all steps necessary to close the case.

SO ORDERED.

s/ Richard J. Arcara

HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT JUDGE

DATED: May 3, 2013